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## REMARKS

Attorney for Applicant has carefully reviewed the outstanding Office Action on the above-identified application.

Applicant has amended claims 1, 7-11, 19-22 and 27. Attachment A contains the amended claims marked to shown the amendment. The claims as amended are patentable over the references to Hurt, Hale or Shuert. Applicant respectfully submits that the amended claims are likewise patentable over the combination of any of Hurt, Hale or Shuert in view of Seksaria.

First, none of these references relate in any way to packing material as claimed by Application. Hurt discloses a method of making embossed material. Hale relates to a structural core material for use in the construction structural building material such as walls, floors and panels, boat hulls, aircraft structural forms, acoustical baffles and related products. Shuert discloses panel structures formed of plastic sheet material for use in construction in fabricating applications. Accordingly, these references are entirely irrelevant to the packing materials and related methods claimed by Applicant.

Additionally, none of the cited references to Hurt, Hale or Shuert disclose **the domes formed in the assembly nest to take up a minimal amount of space, and the plurality of layers can be separated and disoriented to occupy a larger space for use as a packing material** as claimed in claim 1. Hurt for example merely discloses a method of embossing material. Although an assembly layer made of rubber with cup like projections is nested with a non-elastic sheet for forming similar

projections and the non-elastic sheet, once the non-elastic sheet is dry, the layers are separated and are utilized separately for creating fabrics and thin sheets of leather having puckered and elastic properties imparted thereto, such layers are not separated and disoriented to occupy a larger space for use as packing material as claimed in amended claim 1.

Likewise, the step of **packaging the domed composite assembly in a nested position, the layers being separable to occupy a larger space for use as a packing material** as claimed in claim 11 is not disclosed by Hurt.

Certainly, the Hurt reference does not teach or suggest a press for forming domes as claimed in claim 27 having an upper press, a lower press, upper and lower clamp plates and upper and lower die plates.

Similarly, Hale does not teach or suggest all of the elements of Applicant's invention as claimed in independent claims 1, 11 and 27. Like Hurt, Hale does not teach or suggest **the domes formed in the assembly nest to take up a minimal amount of space, and the plurality of layers can be separated and disoriented to occupy a larger space for use as a packing material** as claimed in claim 1.

With respect to claim 11, **packaging the domed composite assembly in a nested condition, the layers being separable to occupy a larger space for a use as a packing material**. As shown in Hale in FIG. 9, adjacent layers 50 and 51 of the structural material disclosed can be in contact and

adhered to one another, and the node apices can be adhered. As such, the layers are not intended to be separated for use as a packing material. Further, the face sheets between which the nodes are disposed prevent the separation of layers. Hale's purpose is to form a structural panel.

Finally, with respect to claim 27, Hale does not disclose a press for forming domes in an assembly including a clamping plate with receptacles in an upper press, and a clamping plate with receptacles in a lower press. Rather, Hale merely discloses a plurality of dies extending in opposite directions to grab and draw a heated layer to its final form.

Similarly, Shuert does not teach or suggest all of the elements of Applicant's invention as claimed in independent claims 1, 11 and 27. Like Hurt, Shuert does not teach or suggest **the domes formed in the assembly nest to take up a minimal amount of space, and the plurality of layers can be separated and disoriented to occupy a larger space for use as a packing material** for use as packing material as claimed in claim 1.

With respect to claim 11, **packaging the domed composite assembly in a nested condition, the layers being separable to occupy a larger space for a use as a packing material.** As shown in Shuert in FIG. 12, adjacent layers 14 and 16 of the structural material disclosed are fused to one another. As such, the layers cannot be separated for use as a packing material. Further, the face sheets between which the nodes are disposed prevent the separation of layers. Like Hale, Shuert is directed to a rigid panel.

Additionally, with respect to claim 27, Shuert does not disclose a press for forming domes in an assembly including a clamping plate with receptacles in an upper press, and a clamping plate with receptacles in a lower press. Rather, Shuert merely discloses a plurality of dies extending and urged in opposite directions to grab and draw a heated layer to its final form.

Seksaria discloses a structure panel having a first metallic sheet and a second plastic rigidifying sheet such as a synthetic resin that is adhered to the metallic sheet for creating a structural panel for use in an automobile engine hood, deck lid, roof, or other environments where it is likely to use a panel that is strong yet relatively light. Contrary to Seksaria, the present invention is directed to a flexible packing material.

Applicant respectfully submits that the cited references to Hurt, Hale or Shuert are insufficient for rejection of the pending independent claims, and that Seksaria does not remedy the deficiencies because Seksaria does not teach or suggest a domed packing material, a packing material having a plurality of layers with nested domes, or separating domed layers and disorienting same for use as the packing material.

In summary, none of the references of record in the present application, taken either alone or in combination, teach or suggest all of the elements of the claimed invention.

With respect to amended claim 1, none of the references teach or suggest a domed packing material comprising: an assembly comprising a plurality of layers; and a plurality of domes formed

in the assembly; wherein the domes formed in the assembly nest to take up a minimal amount of space, and the plurality of layers can be separated and disoriented to occupy a larger space for use as packing material.

With respect to claim 7, none of the references teach or suggest a method for forming a domed packing material comprising: providing an assembly; folding the assembly to form a plurality of layers; forming domes in the folded assembly; unfolding the assembly to disorient the domes; and utilizing the unfolded domed assembly as packing material.

With respect to claim 11, none of the references teach or suggest a method of making and packaging a domed packing material comprising: providing a plurality of film layers; positioning the layers together to form a composite assembly; forming a plurality of domes in the layers forming the composite assembly, the domes nesting; and packaging the domed composite assembly in a nested condition, the layers being separable to occupy a larger space for use as a packing material.

With respect to claim 22, none of the references teach or suggest the method of using a domed packing material comprising: obtaining a piece of composite domed packing material having a plurality of layers with nested domes; separating the layers; disorienting the layers; and utilizing the disoriented layers to place about an object to be packed.

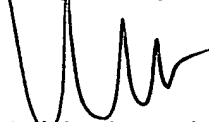
With respect to claim 27, none of the references teach or suggest a press for forming domes in an assembly for manufacturing domed packing material including a plurality of layers comprising:

an upper press having a clamping plate with a receptacle therein and a die plate with a dome die;  
a lower press having a clamping plate with a receptacle and a lower die plate with a dome die; the  
upper and lower clamp plates positionable together to engage the assembly; and the upper and lower  
die plates with dome dies movable to extend into the receptacle of the lower and upper clamp plates  
to deform the assembly to form domes therein.

All issues raised in the Office Action are believed to have been addressed. Claims 1-27 are  
pending in this application. No new matter is believed to have been added. Re-examination is  
requested and favorable action solicited.

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Respectfully submitted,



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## ATTACHMENT A

1. (Amended) A domed packing material comprising:

[a substrate] an assembly comprising a plurality of layers; and

a plurality of domes formed in the [substrate] assembly;

wherein the domes formed in the [substrate] assembly nest to take up a minimal amount of space, and the plurality of layers can be separated and disoriented to occupy a larger space for use as packing material.

7. (Amended) A method for forming a domed packing material comprising:

providing [a substrate] an assembly;

folding the [substrate] assembly to form a plurality of layers;

forming domes in the folded [substrate] assembly;

unfolding the [substrate] assembly to disorient the domes; and

utilizing the unfolded domed [substrate] assembly as packing material.



8. (Amended) The method of claim 7 wherein the dome [substrate] assembly further includes perforation lines for removing portions of the [substrate] assembly for use as a packing material.

9. (Amended) The method of claim 7 wherein the [substrate] assembly is eight and one-half by eleven inches and can be packaged in a standard letter paper size box.

10. (Amended) The method of claim 7 wherein the [substrate] assembly is eight and one-half by fourteen inches and can be packaged in a standard legal paper size box.

11. (Amended) A method of making and packaging a domed packing material comprising:

providing a plurality of film layers;

positioning the layers together to form a composite [substrate] assembly;

forming a plurality of domes in the layers forming the composite [substrate] assembly,  
the domes nesting; and

packaging the domed composite [substrate] assembly in a nested condition, the layers  
being separable to occupy a larger space for use as a packing material.

19. (Amended) The method of claim 11 wherein the domed composite [substrate] assembly is packaged in rolls.

20. (Amended) The method of claim 11 wherein the domed composite [substrate] assembly is cut and packaged in a stack relationship.

21. (Amended) The method of claim 11 wherein the domed composite [substrate] assembly is folded and stacked and packaged in boxes.

22. (Amended) The method of using a domed packing material comprising:

obtaining a piece of composite domed packing material having a plurality of layers with nested domes;

separating the layers;

disorienting the layers; and

utilizing the disoriented layers to place about an object to be packed.

27. (Amended) A press for forming domes in [a substrate] an assembly for manufacturing domed packing material including a plurality of layers comprising:

an upper press having a clamping plate with a receptacle therein and a die plate with a dome die;

a lower press having a clamping plate with a receptacle and a lower die plate with a dome die;

the upper and lower clamp plates positionable together to engage the [substrate] assembly; and

the upper and lower die plates with dome [dyes] dies movable to extend into the receptacle of the lower and upper clamp plates to deform the [substrate] assembly to form domes therein.